

T H E S T A T E O F T E X A S

DOCKET NO: JS21-00192G

TO THE DEFENDANT: ASSOCIA PRINCIPAL MANAGEMENT GROUP OF NORTH TEXAS

SUIT DESCRIPTION:
SMALL CLAIM

YOU HAVE BEEN SUED. YOU MAY EMPLOY AN ATTORNEY TO HELP YOU IN DEFENDING AGAINST THIS LAWSUIT. BUT YOU ARE NOT REQUIRED TO EMPLOY AN ATTORNEY. YOU OR YOUR ATTORNEY MUST FILE AN ANSWER WITH THE COURT. YOUR ANSWER IS DUE BY THE END OF THE 14TH DAY AFTER THE DAY YOU WERE SERVED WITH THESE PAPERS. IF THE 14TH DAY IS A SATURDAY, SUNDAY, OR LEGAL HOLIDAY, YOUR ANSWER IS DUE BY THE END OF THE FIRST DAY FOLLOWING THE 14TH DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY. DO NOT IGNORE THESE PAPERS. IF YOU DO NOT FILE AN ANSWER BY THE DUE DATE, A DEFAULT JUDGMENT MAY BE TAKEN AGAINST YOU. FOR FURTHER INFORMATION, CONSULT PART V OF THE TEXAS RULES OF CIVIL PROCEDURE, WHICH IS AVAILABLE ONLINE AND ALSO AT THE COURT LISTED ON THIS CITATION.

IF YOU FAIL TO FILE AN ANSWER, JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE RELIEF DEMANDED IN THE PETITION. A COPY OF PLAINTIFF'S PETITION IS ATTACHED HERETO AND MADE A PART HEREOF AS THOUGH WRITTEN IN.

GIVEN UNDER MY HAND OFFICIALLY, THIS JUNE 14, 2021.





JUDGE MICHAEL JONES JR
JUSTICE OF THE PEACE
PRECINCT 4 PLACE 1
DALLAS COUNTY

EXHIBIT A

PLAINTIFF(S):
JONES, CAROLYN
ATTY, SHAWN JAFFER & ASSOCIATES
8111 LBJ FWY SUITE 350
DALLAS, TX 75251
(214) 238 4855

VS.
DEFENDANT(S):
ASSOCIA PRINCIPAL MANAGEMENT GRO
OF NORTH TEXAS
STE 600
12700 PARK CENTRAL DRIVE
DALLAS, TX 75251

CITATION
IN THE JUSTICE COURT

FILED ON: 06-14-2021

CITATION ISSUED: 06-14-2021
CITATION ISSUED TO
PLTF ATTY

MICHAEL JONES JR
JUSTICE OF THE PEACE
PRECINCT 4, PLACE 1
DALLAS COUNTY
106 W CHURCH ST STE 205
GRAND PRAIRIE, TEXAS 75050
(214) 751-4040

6-21-2021

SHERIFF OR CONSTABLE SERVICE RETURN:

DOCKET NO: JS21-00192G

CAME TO HAND THIS ____ DAY OF _____, 20____ AT ____ O'CLOCK ____ .M.,
AND

SUIT DESCRIPTION:
SMALL CLAIM

EXECUTED IN PERSON THIS ____ DAY OF _____, 20____ AT ____ O'CLOCK ____ .M.,
BY DELIVERING TO THE FOLLOWING NAMED DEFENDANT _____
AT _____ A TRUE COPY OF CITATION.

PLAINTIFF(S):
JONES, CAROLYN
ATTY, SHAWN JAFFER & ASSOCIATES
8111 LBJ FWY SUITE 350
DALLAS, TX 75251
(214) 238 4855

() EXECUTED BY 501.2(E) THIS ____ DAY OF _____, 20____ AT
____ O'CLOCK ____ .M., BY ALTERNATIVE SERVICE DELIVERING TO THE FOLLOWING
____ AT _____

() EXECUTED BY 501.2(B)(2) THIS ____ DAY OF _____, 20____ AT
____ O'CLOCK ____ .M., BY REGISTERED OR CERTIFIED MAIL, RESTRICTED DELIVERY
WITH RETURN RECEIPT OR ELECTRONIC RETURN RECEIPT REQUESTED TO THE FOLLOWING
____ AT _____

VS.
DEFENDANT(S):
ASSOCIA PRINCIPAL MANAGEMENT GRO
OF NORTH TEXAS
STE 600
12700 PARK CENTRAL DRIVE
DALLAS, TX 75251

() NOT SERVED FOR THE FOLLOWING REASON _____

CITATION
IN THE JUSTICE COURT

FEE: \$ _____

FILED ON: 06-14-2021

CONSTABLE, PRECINCT NO. ____

DEPUTY

CITATION ISSUED: 06-14-2021
CITATION ISSUED TO
PLTF ATTY

MICHAEL JONES JR
JUSTICE OF THE PEACE
PRECINCT 4, PLACE 1
DALLAS COUNTY
106 W CHURCH ST STE 205
GRAND PRAIRIE, TEXAS 75050
(214) 751-4040

6/12/2021 10:42 AM

CAUSE NO. JS21-00192G

CAROLYN JONES

Plaintiff,

v.

ASSOCIA PRINCIPAL MANAGEMENT
GROUP OF NORTH TEXAS
Defendant.

IN THE JUSTICE COURT

PRECINCT 4 PLACE 1

DALLAS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiff CAROLYN JONES (hereinafter referred to as "Plaintiff"), by and through her attorneys, the SHAWN JAFFER & ASSOCIATES, PLLC, files this *Original Petition against* Defendant ASSOCIA PRINCIPAL MANAGEMENT GROUP OF NORTH TEXAS (hereinafter referred to as "Defendant"), and respectfully shows the Court the following:

DISCOVERY CONTROL PLAN LEVEL

1. Plaintiff reserves the right to petition this Court to engage in pretrial discovery pursuant to Rule 500.9 of the Texas Rules of Civil Procedure.

PARTIES AND SERVICE

2. Plaintiff is an individual who resides in Dallas County, Texas and is represented by the undersigned counsel.

3. Plaintiff is a "Consumer" meaning Plaintiff is a natural person who is allegedly obligated to pay any debt.

4. The Consumer Debt is an obligation or alleged obligation of the Plaintiff to pay any money arising out of a transaction in which the money, property, or services which are the

subject of the transaction are primarily for personal, family, or household purposes.

5. Defendant can be served with process at its principal place of business located at 12700 Park Central Drive, Suite 600, Dallas, TX 75251

6. Defendant regularly attempted to collect consumer debts alleged to be due to third-parties, directly or indirectly in the State of Texas.

7. Defendant is a debt collector as defined under 15 U.S.C. § 1692(a)(6) because Defendant has engaged in direct or indirect debt collection against Plaintiff in Texas.

8. Defendant is a "Debt Collector" as defined under Tex. Fin. Code Ann. § § 392.001(6) because Defendant has engaged in direct or indirect debt collection against the Plaintiff in Texas.

JURISDICTION AND VENUE

9. This Court has personal jurisdiction over all the parties because both parties reside and/or engage in business in the State of Texas. Further, this Court has jurisdiction of this cause of action in that it involves an amount in controversy within the original jurisdiction of this Court.

10. Plaintiff seeks monetary relief within this Court's jurisdictional limits.

11. Venue in Dallas County, Texas is proper in this cause pursuant to Section 15.002 of the Texas Civil Practice and Remedies Code because all or a substantial part of the events or omissions giving rise to this lawsuit occurred in Dallas County, Texas.

FACTUAL ALLEGATIONS

11. Plaintiff incorporates by reference all of the above paragraphs of this Petition as though fully stated herein with the same force and effect as if the same were set forth at length herein.

12. Defendant provides property management and services for Associations, Inc. including the collection of past due debts owed to the Associations, Inc.

13. On or about October 12, 2021, Defendant without Plaintiff's consent, published Plaintiff's name on Windsor Park HOA's delinquency and prepaid report. See List as Exhibit A.

14. As a result of Defendant's conduct, Plaintiff has suffered mental anguish, frustration, and emotional distress.

FIRST CAUSE OF ACTION
Violations of the Fair Debt Collections Practices Act
15 U.S.C. § 1692 et seq.

15. Plaintiff incorporates by reference all of the above paragraphs of this Petition as though fully stated herein with the same force and effect as if the same were set forth at length herein.

16. Defendant's debt collection efforts against Plaintiff violated Section §1692(d): A debt collector may not engage in any conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section:

(3) The publication of a list of consumers who allegedly refuse to pay debts, except to a consumer reporting agency or to persons meeting the requirements of section 1681a(f) or 1681b(3) of this title.

17. For the aforementioned-reasons, Defendant has violated the FDCPA.

18. For these reasons, Defendant is liable to Plaintiff for actual damages, statutory damages, costs, and reasonable attorney's fees.

CAUSE OF ACTION
VIOLATIONS OF THE TEXAS DEBT COLLECTION ACT
Tex. Fin. Code Ann. § 392 et seq.

19. Plaintiff re-alleges and incorporates by reference paragraphs in this petition as though fully set forth herein.

20. Defendant debt collection efforts against Plaintiff violates the TDCA.

21. Section 392.304 provides a non-exhaustive list of Fraudulent, Deceptive, or Misleading Representations prohibited by a debt collector:

(a) misrepresenting the character, extent, or amount of a consumer debt. Tex. Fin. Code Ann. §392.304(8); and

(b) using any other false representation or deceptive means to collect a debt or obtain information concerning a consumer. Tex. Fin. Code Ann. §392.304(19).

22. For the aforementioned-reasons, Defendant violated the TDCA.

23. For these reasons, Defendant is liable to Plaintiff for actual damages, costs, and reasonable attorney's fees.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment from Defendant as follows:

1. Awarding Plaintiff statutory damages up to \$1,000 under the FDCPA;
2. Awarding Plaintiff actual damages under the FDCPA;
3. Awarding Plaintiff statutory damages not less than \$100 under the TDCA;
4. Awarding Plaintiff actual damages under the TDCA;
5. Awarding Plaintiff injunctive relief under the TDCA;
6. Awarding Defendant costs of this action, including reasonable attorneys' fees and expenses as allowed under the FDCPA and the TDCA; and

7. Awarding Plaintiff such other and further relief as this Court may deem just and proper.

DATED: June 9, 2021

Respectfully Submitted,

SHAWN JAFFER & ASSOCIATES PLLC

/s/ Shawn Jaffer

Shawn Jaffer, Esq.

State Bar No: 24107817

Allen Robertson

State Bar No. 24076655

attorneys@jaffer.law

8111 LBJ Fwy, Suite 350

Dallas, Texas 75251

Telephone: (214) 238-4855

Facsimile: (888) 530-3910

Attorneys for Plaintiff



Mon Oct 12, 2020 01:20 pm
Report: dwr_dell_prepaid_condense

Delinquency and Prepaid Report
Windsor Park No. 2 HOA
As Of: Wed Sep 30, 2020

User: 51426
Gonja Burns

Outstanding Balances

Account Id	Name	Address	Legal Description	30 day	31-60 day	61-90 day	91-120 day	121+ day	Total Balance
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00225-4757	Carolyn P Jones	5112 Whitehaven Drive		112.94	0.00	73.97	112.23	8,280.26	8,589.42
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FILED
6/12/2021 10:42 AM
Dallas County
Justic of the Peace Pct 4-1
By: Markisha Lusk

8111 Lyndon B Johnson Fwy, Suite 350
Dallas, TX 75251
T: (214) 238-4855 F: (888) 509-3910

REQUEST FOR ISSUANCE OF CIVIL CITATION

Re: Carolyn Jones v. Associa Principal Management Group of North Texas

Case#: -

Dear Clerk of Court:

Plaintiff undersigned counsel requests the Clerk of Court to file the original petition and to issue separate Civil Citation(s) for each Defendant for service by a **Private Process Server**.

The Citation(s) should be sent to us:

1. Via email to: SERVICE@JAFFER.LAW
2. Via Fax to us at 1-888-509-3910, or
3. VIA MAIL to: Shawn Jaffer & Associates, PLLC
8111 Lyndon B Johnson Fwy, Suite 350
Dallas, TX 75251

Sincerely,

Shawn Jaffer

Shawn Jaffer, Esq.
service@jaffer.law



8111 Lyndon B Johnson Fwy, Suite 350
Dallas, TX 75251
T: (214) 238-4855 F: (888) 509-3910

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Dallas, TX 75251

Sincerely,

Shawn Jaffer

Shawn Jaffer, Esq.
service@jaffer.law

CAUSE NO. JS21-00192G

CAROLYN JONES

Plaintiff,

v.

ASSOCIA PRINCIPAL MANAGEMENT
GROUP OF NORTH TEXAS
Defendant.

IN THE JUSTICE COURT

PRECINCT 4 PLACE 1

DALLAS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiff CAROLYN JONES (hereinafter referred to as "Plaintiff"), by and through her attorneys, the SHAWN JAFFER & ASSOCIATES, PLLC, files this *Original Petition against* Defendant ASSOCIA PRINCIPAL MANAGEMENT GROUP OF NORTH TEXAS (hereinafter referred to as "Defendant"), and respectfully shows the Court the following:

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6. Awarding Defendant costs of this action, including reasonable attorneys' fees and expenses as allowed under the FDCPA and the TDCA; and

7. Awarding Plaintiff such other and further relief as this Court may deem just and proper.

DATED: June 9, 2021

Respectfully Submitted,

SHAWN JAFFER & ASSOCIATES PLLC

/s/ Shawn Jaffer

Shawn Jaffer, Esq.

State Bar No: 24107817

Allen Robertson

State Bar No. 24076655

attorneys@jaffer.law

8111 LBJ Fwy, Suite 350

Dallas, Texas 75251

Telephone: (214) 238-4855

Facsimile: (888) 530-3910

Attorneys for Plaintiff



Mon Oct 12, 2020 01:20 pm
Report dwr_doll_prepaid_condense

Delinquency and Prepaid Report
Windsor Park No. 2 HOA
As Of: Wed Sep 30, 2020

User: 51428
Sonja Burns

Outstanding Balances

Account Id	Name	Address	Legal Description	30 day	31-60 day	61-90 day	91-120 day	120+ day	Total Balance
00225-4757	Carolyn P Jones	5112 Whitehaven Drive		112.94	0.00	73.97	112.23	8,280.28	8,599.42